

ORIGINAL

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UNITED STATES OF AMERICA

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JUL 08 2004  
at 12 o'clock and 15 min. M.  
WALTER A.Y.H. CHINN CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 02-00288 DAE
	)	
Plaintiff,	)	SECOND SUPERSEDING INDICTMENT
	)	
vs.	)	[21 U.S.C. §§ 841 and 846
	)	and 18 U.S.C. § 2]
LAMBERT APO, and	(01) )	
JERI-ANN LEWIS,	(05) )	
	)	
Defendants.	)	
	)	

SECOND SUPERSEDING INDICTMENT

Count 1:

The Grand Jury charges:

On or about January 15, 2002, in the District of Hawaii, **LAMBERT APO**, did knowingly and intentionally possess, with intent to distribute, and distribute, in excess of fifty (50) grams of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, in violation of

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Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18 United States Code Section 2.

Count 2:

The Grand Jury further charges:

From on or about October 1, 2001, through and including June 2002, in the District of Hawaii,

**LAMBERT APO**

defendant herein, and Malcolm Hiramawa, Jason Kurosawa and Harry Nakagawa, and others, who are not defendants herein, did willfully and unlawfully conspire together with each other and others known and unknown to the grand jury, to knowingly and intentionally possess with intent to distribute, and distribute, in excess of fifty (50) grams of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

It was the object of the aforesaid conspiracy to possess for distribution methamphetamine in Hawaii.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, the defendant and others performed overt acts in the District of Hawaii and elsewhere which include, but are not limited to, the following:

1. From October 2001 through June 2002, LAMBERT APO and Malcolm Hiramawa purchased half-pound and pound quantities of methamphetamine.

2. From October 2001 though June 2002, after purchase of the methamphetamine in half-pound and pound quantities, LAMBERT APO and Malcolm Hirakawa would divide the methamphetamine into smaller quantities for distribution.

3. From October 2001 though June 2002, Malcolm Hirakawa, Jason Kurosawa and Harry Nakagawa would deliver the methamphetamine for LAMBERT APO.

All in violation of Title 21, United States Code, Section 846.

Count 3:

The Grand Jury further charges:

On or about February 22, 2002, in the District of Hawaii, **LAMBERT APO** and **JERI-ANN LEWIS**, did knowingly and intentionally possess, with intent to distribute, and distribute, in excess of five (5) grams of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) and Title 18 United States Code Section 2.

SENTENCING ALLEGATIONS:

With respect to each count of the Second Superseding Indictment, with which **LAMBERT APO** is charged:

1. That during the period from on or about October 1, 2001, through and including June 2002, Defendant **LAMBERT APO** was

an organizer, leader, manager, or supervisor in a criminal activity.

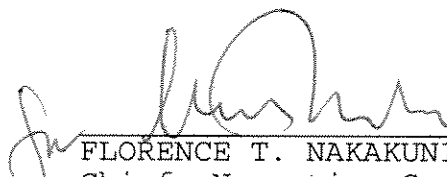
2. That during the period from on or about October 1, 2001, through and including June 2002, Defendant **LAMBERT APO** did knowingly and intentionally possess, with intent to distribute, and distribute, at least 5 kilograms, but less than 15 kilograms of methamphetamine.

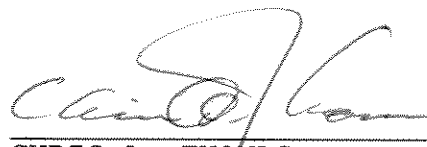
DATED: Honolulu, Hawaii, July 8, 2004.

A TRUE BILL

  
FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

  
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Chief, Narcotics Section

  
CHRIS A. THOMAS  
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United States v. Lambert Apo, et al.  
"Second Superseding Indictment"  
Cr. No. 02-00288 DAE